

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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CESAR DEL RIO,

Plaintiff,

v.

MARSHALL POLICE DEPARTMENT, et al

Defendants.

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ORDER

Case No. 20-cv-493-wmc

Plaintiff Cesar Del Rio has filed a proposed civil complaint. Plaintiff has not paid the \$400 filing fee nor asked for leave to proceed without prepayment of fees or costs. In the event that plaintiff wishes to proceed without prepayment of the filing fee, the enclosed petition and affidavit must be completed to determine whether plaintiff qualifies as indigent.

ORDER

IT IS ORDERED that plaintiff Cesar Del Rio may have until June 25, 2020, in which to either pay the \$400 filing fee or to submit an affidavit of indigency and return it to the court. If, by June 25, 2020, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 28th day of May, 2020.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge

**UNITED STATES DISTRICT COURT  
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**NON-PRISONER REQUEST TO PROCEED IN DISTRICT COURT  
WITHOUT PREPAYING THE FILING FEE**

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Answer the following questions to the best of your ability.

**Note:** If you do not tell the truth, the court may dismiss your lawsuit.

**I. Personal Information**

- 1) Are you employed? ☐ Yes ☐ No
- 2) Are you married? ☐ Yes ☐ No  
If "Yes," is your spouse employed? ☐ Yes ☐ No
- 3) Do you have any dependents that you are responsible for supporting?  
☐ Yes ☐ No  
If "Yes," list them below:

| <u>Name or initials (for<br/>minor children only)</u> | <u>Relationship to You</u> | <u>Age</u> | <u>Amount of Support<br/>Provided per Month</u> |
|---|----------------------------|------------|---|
| _____   | _____                      | _____      | \$ _____  |
| _____   | _____                      | _____      | \$ _____  |
| _____   | _____                      | _____      | \$ _____  |

- II. Income** - If you are married, your answers *must include your spouse's income.*  
(When calculating income, include any wages, salary, rent, child support, public assistance, unemployment compensation, disability payments, life insurance payments, pensions, annuities, workers' compensation, stock dividends and interest, gifts and inheritance, or other money you receive from any source.)

1) State your total *monthly* wages or salary? \$ \_\_\_\_\_

2) Provide the name and address of your employer(s):

\_\_\_\_\_

3) State your spouse's total *monthly* wages or salary? \$ \_\_\_\_\_

State the amount of money you have received from any other source in the last twelve months, such as the sources listed above. Please attach an additional sheet if necessary.

Source of income

Amount

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

- III. Expenses** - If you are married or have dependents, *your expenses should also include your household's expenses.*

(When calculating household expenses, you may include groceries, clothing, medical costs, utilities that are not included in your rental payments, transportation, and insurance.)

1) Identify the following amounts that you pay per month:

☐ Rent or ☐ Mortgage \$ \_\_\_\_\_

Car payment(s) \$ \_\_\_\_\_

Alimony or court-ordered child support \$ \_\_\_\_\_

Credit card payment(s) \$ \_\_\_\_\_

- 2) Do you have any other *monthly* expenses that you have not already listed?  
☐ Yes ☐ No

If "Yes," list them below:

| <u>Expense</u> | <u>Amount</u> |
|----------------|---------------|
| _____          | \$ _____      |
| _____          | \$ _____      |
| _____          | \$ _____      |

- 3) What are your total *monthly* expenses? \$ \_\_\_\_\_

**IV. Property** - If you are married, your answers must *include your spouse's property*.

- 1) Do you own a car? ☐ Yes ☐ No If "Yes," list car(s) below:

| <u>Make and Model</u> | <u>Year</u> | <u>Approximate Current Value</u> |
|-----------------------|-------------|----------------------------------|
| _____                 | _____       | \$ _____                         |
| _____                 | _____       | \$ _____                         |

- 2) Do you own your home(s)? ☐ Yes ☐ No

If "Yes," state the approximate value(s). \$ \_\_\_\_\_

What is the amount of equity (assessed value of residence minus outstanding mortgage balance) in the home(s)? \$ \_\_\_\_\_

- 3) Do you have any cash or checking, savings, or other similar accounts?  
☐ Yes ☐ No

If "Yes," state the total of such sums. \$ \_\_\_\_\_

- 4) Do you own any other property of value, such as real estate, stocks, bonds, trusts, or individual retirement accounts (e.g., IRA, 401 k), artwork or jewelry?

☐ Yes ☐ No

If "Yes," describe the property and the approximate value(s).

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- V. **Other Circumstances** - Describe any other financial circumstance(s) that you would like the court to consider when reviewing this petition.

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I, \_\_\_\_\_, declare that I am the plaintiff bringing this complaint. I declare that I am unable to prepay the fee and that I am entitled to the relief sought in the complaint.

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Date

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**Signature - Signed Under Penalty of Perjury**